

Ohio Judicial Conference

Executive Committee Meeting

May 2, 2014

10:00 am – 2:00 pm

Moyer Judicial Center

Agenda

- | | |
|---|---|
| I. CALL TO ORDER | Judge Jim D. James |
| <ul style="list-style-type: none">• Roll Call & Introductions• Minutes, March 14, 2014 | |
| II. FINANCIAL REPORT | Mark Schweikert/Jayma Umbstaetter |
| <ul style="list-style-type: none">• Financial Report through March | |
| III. SUPREME COURT PERSPECTIVE | Mindi Wells/Milt Nuzum |
| <ul style="list-style-type: none">• | |
| IV. JUDICIAL CONFERENCE | |
| Chair's Report | Judge Jim D. James |
| <ul style="list-style-type: none">• | |
| Executive Director | Mark R. Schweikert |
| <ul style="list-style-type: none">• Strategic Planning• Judges Directory• Change to Database – Retired Judges | |
| V. OLD BUSINESS | |
| <ul style="list-style-type: none">• Nominating Committee | Judge Thomas A. Swift |
| VI. NEW BUSINESS | |
| <ul style="list-style-type: none">• | |
| VII. JUDICIAL ASSOCIATIONS REPORT | |
| <ul style="list-style-type: none">• Ohio Court of Appeals Judges Association• Ohio Common Pleas Judges Association• Ohio Association of Domestic Relations Judges• Ohio Association of Juvenile Court Judges• Ohio Association of Probate Judges• Association of Municipal/County Judges of Ohio | G. Gary Tyack/John W. Wise
Jonathan P. Hein/Guy L. Reece, II
Richard P. Wright/Diane M. Palos
Debra L. Boros/Matthew P. Puskarich
Kenneth J. Spicer/Jan Michael Long
Beth W. Root/William Allan Grim |
| VIII. COMMITTEE REPORTS | |
| Appellate Law and Procedure | Sheila G. Farmer/Sylvia Sieve Hendon |
| Civil Law and Procedure | Philip M. Vigorito/Gene A. Zmuda |
| Community Corrections | James L. DeWeese/Howard H. Harcha, III |
| Court Administration | John J. Russo/James A. Shriver |
| Court Technology | Jonathan P. Hein/John W. Wise |

Criminal Law and Procedure
Domestic Relations Law & Procedure
Judicial Compensation
Judicial Education
Judicial Ethics & Professionalism
Jury Instructions
Jury Service
Juvenile Law and Procedure
Legislative
Magistrates
Personnel and Office Administration
Probate Law and Procedure
Public Confidence and Community Outreach
Publications
Retired Judges
Specialized Dockets
Traffic Law and Procedure

Joyce A. Campbell/Cynthia Westcott Rice
Cheryl S. Karner/David Lewandowski
Timothy J. Grendell/Everett H. Krueger
Stephen W. Powell
Mary DeGenaro/Thomas M. Marcelain
Mary E. Donovan/Jeffrey L. Reed
Jeffery B. Keller/Reeve W. Kelsey
Luann Cooperrider/Robert C. DeLamatre
Jan Michael Long/John R. Willamowski
Carol J. Dezso/Beth W. Root
John M. Durkin
Jan Michael Long/Jack R. Puffenberger
David M. Gormley/Eugene A. Lucci
Nancy D. Hammond, *Retired*/Deborah J. Nicastro
Mel Kemmer, *Retired*/Nodine Miller, *Retired*
John M. Durkin/Carol Ann Robb
Mark B. Reddin/Jennifer P. Weiler

IX. OTHER BUSINESS

X. 2014 EXECUTIVE COMMITTEE MEETINGS

Wednesday, August 27 (10:00-2:00)

Executive Committee Meeting; Hilton Easton, Columbus

Friday, November 7 (10:00-2:00)

Executive Committee Meeting; Moyer Judicial Center

XI. ADJOURNMENT



Appellate Law and Procedure Committee

Executive Committee Report May 2, 2014

Co-Chairs

Judge Sheila G. Farmer
Judge Sylvia Sieve Hendon

Members

Judge Mary DeGenaro
Judge Stephen W. Powell
Judge Cynthia Westcott Rice
Judge James D. Sweeney,
Retired
Judge G. Gary Tyack
Judge Steven A. Yarbrough
Judge Matthew W. McFarland
Judge Michael Walsh

The Appellate Law & Procedure Committee analyzes pending legislation with a judicial impact on laws regarding appeals, appeals courts and appellate procedure and reviews issues and proposals of relevance to judges with appellate jurisdiction. It makes recommendations to improve the Ohio Revised Code, Ohio Rules of Appellate Procedure, and relevant Supreme Court Rules of Superintendence.

The committee met last on February 26, 2014 in conjunction with the Ohio Court of Appeals Judges Association Winter Meeting. The Committee will meet next, by conference call, on Friday, June 6, 2014.

Since the last written report, the committee reviewed a draft change to House Bill 9 (Receivership) that is the result of a compromise between the OJC Civil Law & Procedure Committee and the Ohio State Bar Association. The draft, among other things, specifies that an order determining the adequacy of an assurance of payment arrangement between a utility and a receiver is a final appealable order that may be immediately reviewed by the court of appeals.

The committee continues to look at the issue of appellate review of criminal sentencing in light of changes to R.C. 2953.08 in House Bill 86.

The committee is monitoring the series of Mid-Biennial Review bills for changes that could impact the courts of appeals along with Senate Bill 6 which outlines a process for removing various local government fiscal officers and grants each office the right to an expedited appeal.

Respectfully Submitted,

Judge Sheila G. Farmer &
Judge Sylvia Sieve Hendon, Committee Co-Chairs



Civil Law and Procedure Committee

Executive Committee Report May 2, 2014

Co-Chairs

Judge Philip M. Vigorito
Judge Gene A. Zmuda

Members

Judge Richard E. Berens
Judge Tina Boyer
Judge Forrest W. Burt
Judge Barbara S. Carter
Judge William J. Corzine, *ret.*
Judge William R. Finnegan
Judge Richard A. Frye
Judge Joseph Gibson
Judge Michael R. Goulding
Judge Thomas J. Grady
Judge Robert G. Hart
Judge Reeve W. Kelsey
Judge Richard M. Markus, *ret.*
Judge Jerry R. McBride
Judge Jerome J. Metz, Jr.
Judge Beth A. Myers
Judge Mark S. O'Connor
Judge Charles L. Pater
Judge Joseph D. Russo
Judge Brendan J. Sheehan
Judge Kenneth R. Spanagel
Judge Jonathan Starn
Judge Tygh M. Tone
Judge John T. Wallace
Magistrate Dennis Sarisky
Magistrate Elizabeth Watters

The Civil Law and Procedure Committee last met on January 31, 2014 to discuss legislation. Additionally, the Committee performs a great deal of work via email communication:

Receivership (House Bill 9/Rep. Stautberg and Sen. Coley). Judge Frye worked with the Senate Civil Justice Chair to craft an amendment to this bill, has testified as a proponent, has worked with the sponsor to sync the bill with model law language, and is currently awaiting the convening of a conference committee.

Uniform Determination of Indigency in Civil Filings. Representative Sykes and OLAF alerted the Ohio Supreme Court to the disparate determination of indigency across Ohio counties. The Committee has reviewed this issue and Judge Spanagel drafted a recommendation, which may be included as an amendment in a bill before the House Judiciary Committee or as part of the MBR via the Senate.

Private Selling Officers (Proposal by MDK, LLC). In the hopes of expediting sheriff's sales, MDK has proposed creating Private Selling Officers who can sell foreclosed properties. The Committee opposes this proposal. A memo was provided to MDK describing the judges' concerns. MDK hopes to continue working with the committee and will provide a response to the judges' concerns in time for the next meeting.

The Committee also reviewed SB 326 (Set-Off Statute), which concerns "double recovery" in lawsuits against the state; and HB 471 (Identity Theft of Active Military Personnel), which creates a new cause of action.

The next meeting of the Civil Law & Procedure Committee will be held May 9, 2014 via conference call.



Community Corrections Committee

Executive Committee
May 2, 2014

Co-Chairs

Hon. James L. DeWeese
Hon. Howard H. Harcha, III

Members

Hon. Teresa Lyn Ballinger
Hon. Robert J. Brown, *Retired*
Hon. Forrest W. Burt
Hon. Marilyn B. Cassidy
Hon. John A. Connor
Hon. Nancy A. Fuerst
Hon. L. Alan Goldsberry
Hon. T. Shawn Hervey
Hon. Harry J. Jacob, III
Hon. Linda J. Jennings
Hon. Everett H. Krueger
Hon. Julie M. Lynch
Hon. Jerry R. McBride
Hon. David H. McKenna
Hon. James L. Miraldi
Hon. Robert D. Nichols, *Retired*
Hon. Charles L. Patton
Hon. Mary Margaret Rowlands
Hon. John W. Rudduck
Hon. Michael J. Russo
Hon. Nancy Margaret Russo
Hon. Keith M. Spaeth
Hon. Elizabeth Lehigh Thomakos
Hon. Diane S.A. Vettori
Hon. Steven O. Williams, *Retired*

The Community Corrections Committee provides a judicial perspective and advice on legislation and innovation in the field of Community Corrections. The committee reviews community corrections programs, policies and proposals, makes recommendations to the judiciary and provides input as needed into the planning of various workshops, trainings and forums for judges, and court personnel on the subject of community corrections, jails, sentencing alternatives or other related topics.

ORAS for Municipal Courts

On Monday, March 24th DRC, Dr. Ed Latessa, University of Cincinnati, and Brian Lovins, formerly of University of Cincinnati, met with the workgroup to review the draft of the proposed misdemeanor risk assessment tool. Judge John Rohrs will relay the information to the AMCJO Board and then it will be presented to the AMCJO membership at their summer meeting in July.

The next scheduled meeting of the committee will be a conference call on July 22, 2014.

Respectfully submitted,
Judge James L. DeWeese, co-chair
Judge Howard H. Harcha, III, co-chair



Court Administration Committee

Executive Committee Report

May 2, 2014

Co-chairs

Hon. John J. Russo
Hon. James A. Shriver

Members

Hon. Mary J. Boyle
Hon. Jerry L. Buckler
Hon. John S. Collier
Hon. Rocky A. Coss
Hon. Ronald P. Forsthoefel
Hon. Nancy A. Fuerst
Hon. Robert C. Hickson, Jr.
Hon. Terry Ivanchak
Hon. Thomas A. Januzzi
Hon. Mel Kemmer, *Retired*
Hon. Charles F. Kurfess, *Retired*
Hon. Jerry R. McBride
Hon. Deborah J. Nicastro
Hon. Colleen Mary O'Toole
Hon. Noah E. Powers, II
Hon. Kathleen M. Rodenberg
Hon. Charles A. Schneider
Hon. Nick A. Selvaggio
Hon. Corey E. Spitzer
Hon. Paul E. Spurgeon
Hon. John B. Street
Hon. Maureen Ann Sweeney

Others

Ms. Jo Ellen Cline
Magistrate Anthony D'Apolito
Mr. Steven Hollon
Magistrate John Homolak

The Court Administration Committee has the following updates since the last report in March:

Superintendence Rules. The committee reviewed and discussed the following proposals regarding the Rules of Superintendence:

- Sup. R. 26 et. seq. (Court Record Retention). The committee has drafted a letter to the Commission on the Rules of Superintendence regarding OVI record retention procedures and sought feedback from the Municipal Court Clerks. The committee is currently reviewing additional suggestions from the clerks and may establish a workgroup to develop joint recommendations.

Proposed Legislation. The committee reviewed and discussed the following proposals:

- Indigent Defense – The committee is currently reviewing an amendment drafted to HB 483 (MBR) that would increase reimbursement to fifty percent, establish a standard system of rates and caps, and base reimbursement on compliance with system standards and accountability. The committee will follow-up with the Ohio Public Defender with any comments.

The committee is monitoring the following proposals and will comment if necessary:

- HJR 8 (Term Limits - Elected Officials) – The committee is concerned with the portion of the proposal that would place term limits on the judiciary. A formal response has been prepared and will be sent if necessary.
- HJR 10 (Recall Elected Officer) – The committee is concerned with the portion of the proposal that would allow for the recall of judges. A response will be sent if necessary.
- HB 321 (DATA Ohio) – A proposed amendment to this bill would authorize a “public office” to “opt-in” to the DATA Ohio requirements of posting public records online in accordance with the Public Records Act. There is some concern that the change could lead to confusion for courts as to whether the Statute or the Rules of Superintendence govern court records. The committee has requested clarification.



Court Technology Committee

Executive Committee Report

May 2, 2014

Co- Chairs

Judge Jonathan P. Hein
Judge John W. Wise

Members

Judge K. William Bailey
Judge Jerry L. Buckler
Judge Gary L. Byers
Judge Timothy P. Cannon
Judge Anthony Capizzi
Judge Michelle D. Earley
Judge Ronald P. Forsthoefel
Judge Duane A. Goettemoeller
Judge James L. Hoover, *Retired*
Judge Michael P. Kelbley
Judge Eugene A. Lucci
Judge Alfred W. Mackey
Judge Lee W. McClelland
Judge Mark J. Mihok
Judge Carol White Millhoan
Judge Thomas S. Moulton, Jr.
Judge Deborah J. Nicastro
Judge Mark B. Reddin
Judge Robert W. Rettich, III
Judge Christopher D. Roberts
Judge Joseph D. Russo
Judge Brendan J. Sheehan
Judge Corey E. Spittler
Judge James F. Stevenson
Judge Maureen Ann Sweeney
Judge Diane S.A. Vettori
Judge Michael J. Voris, *Retired*
Judge Gayle Williams-Byers
Judge Richard P. Wright
Judge Robert S. Wynn
Judge Gary L. Yost

Others

Magistrate Donna Hanneman
Magistrate Charles Lawrie

The Court Technology Committee explores new developments in court technology and policies related to these developments. This committee also serves as a resource to help Ohio judges effectively use technology.

The Court Technology Committee held its last meeting on February 14th.

Court Technology Conference Future (Updates)

Registrations as of 4/25/14 – Vendors: 39 , Attendees: 256

3 hours of CLE will be offered:

- Barron K. Henley, Affinity Consulting Group – “Tech Tips, Tricks, Gadgets, and Cool Stuff”
- Nial Raaen, National Center for State Courts – “Records Management”

The co-chairs of the Court Technology Committee continue to work with representatives from both the Ohio Association for Court Administrators and the Ohio Clerk of Courts Association to discuss plans for the 2014 Court Technology Conferences to join forces with these respective associations. Several goals are being pursued: (1) increasing attendance of technology users, (2) adding more vendors with varied hardware and software applications, and (3) encouraging collaboration between local technology decision-makers. The Committee will host its own exhibitor booth where Judges will model and encourage technology currently being applied in their courts. This interactive display would provide a Q & A opportunity for conference attendees and also increase judicial participation.

Website Maintenance

After the Ohio Judicial Conference website redesign was launched in July of last year, the OJC staff has been working with a new vendor (CGI) in a continuing effort to improve and ensure that our members are getting the best user experience possible.

Future Meetings:

- **Wednesday, May 14 – 5:30 PM to 7:00 PM**
(Crowne Plaza Columbus North)
- **Thursday, May 15 – 7:30 AM to 3:15 PM**
(Court Technology Conference, Crowne Plaza Columbus North)
- **Wednesday, August 27 – 2:00 PM to 3:00 PM-** (Hilton Easton)
- **Friday, November 21 – 12:00 PM to 1:00 PM -** (Conference Call)



Criminal Law and Procedure Committee

Executive Committee Report May 2, 2014

Co-Chairs

Judge Joyce A. Campbell
Judge Cynthia Westcott Rice

Members

Judge Dennis J. Adkins
Judge Michael M. Ater
Judge Ann E. Beck
Judge William David Branstool
Judge Michael A. Buckwalter
Judge Lynne S. Callahan
Judge William J. Corzine, *ret.*
Judge Vincent A. Culotta
Judge Michael P. Donnelly
Judge Gary Dumm
Judge Michelle D. Earley
Judge John L. Good
Judge David M. Gormley
Judge Gregory A. Grimslid
Judge Thomas M. Hanna
Judge Robert G. Hart
Judge Gary W. Herman
Judge T. Shawn Hervey
Judge Thomas A. Januzzi
Judge Mel Kemmer, *retired*
Judge James Lanzo
Judge Deborah A. LeBarron
Judge Thomas M. Marcelain
Judge Alan R. Mayberry
Judge George P. McCarthy
Judge Stephen B. McIlvaine
Judge David H. McKenna
Judge Timothy N. O'Connell
Judge Noah E. Powers, II
Judge Jennifer L. Sargus, *ret.*
Judge Jon P. Schaefer
Judge Megan E. Shanahan
Judge Brendan J. Sheehan
Judge James A. Shriver
Judge Lee Sinclair, *Retired*
Judge John M. Solovan, II
Judge Kenneth R. Spanagel
Judge Brett M. Spencer
Judge David N. Stansbury
Judge Jonathan Starn
Judge Diane S.A. Vettori
Judge Philip M. Vigorito
Judge Nanette Von Allman
Judge Mark W. Wall
Judge John T. Wallace
Judge Stephen Wolaver
Judge Tyrone K. Yates

The Criminal Law & Procedure Committee's April 11 meeting was cancelled and rescheduled for April 25. The committee is working on the following items:

Rules.

- Criminal Rule 11: Judge Donnelly spoke to the Committee about changing the Rules of Criminal Procedure to guide judges in decisions of accepting plea agreements that bear a factual relationship to the original charge. He is spearheading an effort to submit a Rule change proposal specific to transparency in the pleading process and factually-sound plea agreements. The Committee will review draft proposals at the next meeting to submit a proposal to the Rules Commission for consideration during the 2015 cycle.
- Criminal Rule 5: The proposed change to Criminal Rule 5 has been vetted through public comment, which ended on March 5, 2014. It has also been filed with the General Assembly. Any Rule proposals that are not withdrawn or modified (by the Supreme Court or the General Assembly) by May 1 will become effective July 1, 2014.

Legislation.

- SORN Revision: (S.B. 144/Sen. Seitz) The committee is reviewing the possibility of amending this bill to address difficulties with appeals for offenders whose appeal time has lapsed but who have been incorrectly re-classified under an intervening law.
- HB 508 (Expanding Definition of Murder to Include Drug Sales that End in Overdose): The Committee has concerns about this bill, specifically that mental state of purpose and knowledge are presumed. The Committee will draft a letter to the sponsor to make him aware of the concerns.
- Other: The Committee also reviewed a bill proposal to increase penalties for sales of drugs to pregnant women; a bill proposal that would require an offender to reimburse law enforcement for money the officers used to buy drugs to investigate the offender; a bill proposal that would require search warrants to be executed in 10 days, without extension; and HB 383, which would allow a prosecutor to get an investigative subpoena for any offense.

Death Penalty Task Force.

- The Task Force has published its recommendations, along with a minority report.

The next meeting is scheduled for June 18, 2014 during the OCPJA Conference.



Domestic Relations Law & Procedure Committee

Executive Committee Report March 14, 2013

Co-chairs

Judge Cheryl S. Karner
Judge David Lewandowski

Members

Judge Craig R. Baldwin
Judge Scott N. Barrett
Judge Jerry L. Buckler
Judge Leslie Ann Celebrezze
Judge Heather M. Cockley
Judge Janet R. Colaluca
Judge William J. Corzine, *Retired*
Judge Carol J. Dezso
Judge Colleen A. Falkowski
Judge Joseph Giulitto, *Retired*
Judge Paula C. Giulitto
Judge Rosemary Grdina Gold
Judge L. Alan Goldsberry
Judge Jeffrey A. Hooper
Judge Steven Hurley
Judge Jim D. James
Justice Sharon L. Kennedy
Judge Mary Kovack
Judge Katherine S. Lias, *Retired*
Judge Denise Herman McColley
Judge Judith Nicely, *Retired*
Judge Diane M. Palos
Judge Dana S. Preisse
Judge John P. Quinn
Judge Kathleen M. Rodenberg
Judge Beth A. Smith
Judge Laura B. Smith
Judge Matt C. Staley
Judge Russell A. Steiner, *Retired*
Judge David E. Stucki, *Retired*
Judge Susan Laker Tolbert
Judge Michael J. Voris, *Retired*
Judge Richard P. Wright
Magistrate Pamela Heringhaus
Magistrate Tom Tompkins

The Domestic Relations Law & Procedure Committee reviews issues and proposals of relevance to judges with domestic relations jurisdiction and analyzes pending legislation with judicial impact on family laws and procedures.

The Committee met last Wednesday, April 23rd during the Supreme Court's Domestic Relations Summit. The Committee will meet next on June 17th in conjunction with the Association's Summer Conference.

Since the last Executive meeting, the Committee discussed and finalized a draft of a pension bill that is part of the Conference's legislative platform. The bill will provide public pension survivor benefits to an ex-spouse when an employee dies before retirement. The Committee is currently seeking the support of other interested groups and meeting with the representatives of the public pensions to ensure smoother passage of the bill.

The Committee continues to monitor House Bill 243 and Senate Bill 177 regarding the inclusion of companion animals on Civil Protection Orders, House Bill 257 which terminates parental rights when a child is conceived as a result of rape, and Senate Bill 261 which would make a protection order enforceable if the respondent has actual notice of the order despite it not being served on him. The Committee has also drafted an amendment to a potential bill that will allow both a residential and nonresidential parent to give consent for their child to receive mental health treatment in certain situations.

At its meeting last week, the committee began brainstorming several issues for potential legislative platform ideas. These issues include creating judicial oversight for Private Judging, seeking legislative support for local policies concerning the testimony of children and a potential venue for the termination of an order of separation when a couple resolves their marital issues.



Co-Chairs

Judge Timothy J. Grendell
Judge Everett H. Krueger

Judicial Compensation & Benefits Committee Report

Executive Committee Report, May 2, 2014

Judicial Compensation

The OJC Judicial Compensation Committee last met on April 4, 2014 at noon. All of the judicial association presidents and the co-chairs of the legislative committee have been participating in the meetings and conference calls. We are working with the other county elected official associations and the OSBA to develop a comprehensive and successful legislative strategy. Leadership of both caucuses in both the Senate and House of Representatives have designated legislators to work with us to develop and implement a successful strategy for 2014.

Representatives of the elected officials associations are meeting regularly with legislative leaders to consider the options available for a compensation package and which options might be preferred by the legislature. Selected efforts are being made to make sure legislators are aware of the importance of dealing with the compensation issue before the end of the year.

As the summer approaches we will be asking judges to assist us with contacting local legislators to garner support for a comprehensive compensation package.

The OJC Judicial Compensation in Perspective 2013 Report is available on the OJC website at www.ohiojudges.org



Judicial Education Committee

Executive Committee Report May 2, 2014

Chair

Judge Stephen W. Powell

Members

Judge Debra L. Boros
Judge Jonathan P. Hein
Judge Beth W. Root
Judge Kenneth J. Spicer
Judge Richard P. Wright

The Judicial Education Committee works with the Executive Committee, judicial association presidents, the Judicial College, and the Judicial Conference staff to develop, organize, and present the Annual Meeting Education Program.

The Judicial Education Committee met on April 14, 2014, in order to review the plans for the 2014 Annual Meeting. The theme for the Annual Meeting is "The Future of Justice: The Next 50 Years." The committee has opted to focus on topics that will be of increasing relevance to Ohio courts in the near future.

Presenters that have been extended invitations to speak at the Annual Meeting, include: Franklin County Sheriff's Office Operation Street Smart on Drugs, Mindset Digital, Courtroom Dogs, Professor Marianna Bettman, Columbus Police Detective Christine Roberts, Barron Henley, Esq. and FamilySearch International. Attendees will also have an option to attend a Legislative Update Session with Senators and Representatives and a Death Penalty Task Force Update. Additionally, during the Thursday plenary sessions a discussion panel regarding "Media and the Courtroom" is being developed with Judge Mike Russo serving as a moderator. Invitations will also be sent to Chief Justice O'Connor and Ohio State Bar Association leadership to speak during the plenary sessions.

The Judicial Education Committee has a telephone conference call scheduled for June 23, 2014.

Respectfully submitted,

Judge Stephen W. Powell, Chair



Judicial Ethics and Professionalism Committee

Executive Committee Report,
May 2, 2013

Co-Chairs

Judge Mary DeGenaro
Judge Thomas M. Marcelain

Members

Judge Jason R. Aslinger
Judge Amy Berling
Judge Eric Brown, Retired
Judge Thomas F. Bryant,
Retired
Judge Michael A. Buckwalter
Judge James Cissell
Judge Heather M. Cockley
Judge Richard L. Collins, Jr.
Judge John A. Connor
Judge Colleen C. Cooney,
Retired
Judge Allan H. Davis
Judge Michael P. Donnelly
Judge John M. Durkin
Judge David A. Ellwood
Judge Sheila G. Farmer
Judge Joseph Gibson
Judge Carrie E. Glaeden
Judge Michael R. Goulding
Judge Emanuella D. Groves
Judge David E. Henderson
Judge John E. Holcomb
Judge Thomas A. Januzzi
Judge Teresa L. Liston, Retired
Judge Alison McCarty
Judge Matthew McFarland
Judge Robert E. Messham, Jr.,
Retired
Judge Joseph N. Monnin
Judge Beth A. Myers
Judge S. Dwight Osterud
Judge Jack R. Puffenberger
Judge Matthew P. Puskarich
Judge John P. Quinn
Judge John T. Rohrs, III
Judge Joseph D. Russo
Judge Nancy Margaret Russo
Judge Richard T. Schisler,
Retired
Judge David Sunderman
Judge Kathleen Ann Sutula
Judge Terri L. Stupica
Judge Norman Zimmelman

The Judicial Ethics & Professionalism Committee reviews the ethical guidelines that govern judges, advocates for improvements in those guidelines, and serves as a resource to help judges resolve problems that concern those guidelines and judicial ethics more broadly.

The committee last met by on March 14, 2014 at the Moyer Justice Center. At the meeting the committee met with Ohio State Bar Association's Ken Brown and Columbus Bar Association's Belinda Barnes to discuss "Clean Campaign Pledges" and enforcement mechanisms. The committee will continue to discuss and develop this topic further within the committee.

Additionally, the committee discussed judicial impartiality and accepting community correction grants and truth in plea agreements. Further, in new business the committee recognized the Commission on Professionalism's Do's and Don'ts for Judges and suggested that any comments be sent to Lori Keating at the Supreme Court of Ohio.

The committee will next meet on June 9, 2014 at Noon for a conference call. Topics and meeting agenda are currently in development.

Respectfully submitted,

Judge Mary DeGenaro, co-chair
Judge Thomas Marcelain, co-chair



Ohio Jury Instructions Committee

Executive Committee Report May 2, 2014

Co-chairs

Judge Mary E. Donovan
Judge Jeffrey L. Reed

Members

Judge Patrick Carroll
Judge John A. Enlow
Judge John F. Bender, Retired
Judge H.F. Inderlied, Jr., Retired
Judge N. Edward Lane, Jr.
Judge Patricia S. Oney
Judge Richard M. Rogers
Judge Charles A. Schneider
Judge Lee Sinclair, Retired
Judge Stephen Wolaver
Judge Michael P. Donnelly

Beth Cooke, Esq.
Jennifer Hansen, Esq.
Shawn K. Judge, Esq.
Richard Peck, Esq.
Mary Jane Trapp, Esq.
Gregory M. Travaglio, Esq.

The Ohio Jury Instructions (OJI) Committee meets seven times a year on weekends and at a summer retreat to draft Ohio Jury Instructions for newly enacted legislation and to update existing instructions as needed and required by intervening legal opinions or rule changes.

The OJI Committee recently met on March 14-15, 14. The committee worked on instructions regarding Automobiles, Workers Compensation, Drugs, Forfeiture, Affirmative Defenses, Terrorism, Theft, and Promoting Prostitution.

The OJI committee has voted to hold their Retreat in August 2014, in Cleveland, Ohio. Further, the committee voted to hold the 2015 Retreat at Maumee Bay Resort and Conference Center and to hold the 2016 Retreat at The Lafayette Hotel in Marietta, Ohio.

The current Ohio State Bar Association Casemaker contract expired on December 31, 2013 and negotiations are ongoing.

The committee's next meeting is May 2-3, 2014 at Embassy Suites in Dublin, Ohio. The agenda for the May meeting is currently in development.

Respectfully submitted,

Mary E. Donovan, co-chair
Jeffrey L. Reed, co-chair



Jury Service Committee

Executive Committee Report May 2, 2014

Co-Chairs

Hon. Jeffery B. Keller
Hon. Reeve W. Kelsey

Members

Hon. Pinkey S. Carr
Hon. Christopher Collier
Hon. Vincent A. Culotta
Hon. Toni L. Eddy
Hon. Michael F. Higgins
Hon. Linda J. Jennings
Hon. Everett H. Krueger
Hon. Charles F. Kurfess, *Retired*
Hon. Robert G. Lavery
Hon. Marvin Shapiro, *Retired*
Hon. Kathleen Ann Sutula
Hon. Dean L. Wilson
Hon. Gary L. Yost

Others

Ms. Jean Atkin
Mr. Tom Shields

The Jury Service Committee examines all aspects of jury service and makes recommendations for the proper and efficient functioning of the jury system.

Case Law Updates

The committee continues to review case law from Ohio, other states, and the U.S. Supreme Court as well as discuss issues as they relate to jury service.

Jury Service Video

The committee reviewed the script for the jury service video project and provided feedback to the workgroup.

The next scheduled committee meeting will be held on August 27th in conjunction with the OJC Annual Meeting.

Respectfully submitted,

Judge Reeve W. Kelsey, co-chair
Judge Jeffery B. Keller, co-chair



Juvenile Law & Procedure Committee

Executive Committee Report March 14, 2014

Co-Chairs

Judge Luann Cooperrider
Judge Robert C. DeLamatre

Members

Judge K. William Bailey
Judge David B. Bender
Judge Anthony Capizzi
Judge Timothy L. Cardwell
Judge Margaret A. Clark
Judge J. Mark Costine
Judge Ronald R. Craft
Judge Denise Navarre Cubbon
Judge Theresa Dellick
Judge Kevin W. Dunn
Judge Charlotte Coleman Eufinger
Judge Alison L. Floyd
Judge Daniel R. Gerschutz
Judge Kathleen L. Giesler
Judge Timothy J. Grendell
Judge Robert H. Hoover
Judge Robert W. Hutcheson
Judge Jim D. James
Judge Nick Kuntz
Judge Thomas R. Lipps, *Retired*
Judge Jan Michael Long
Judge Denise Herman McColley
Judge Stephen D. Michael
Judge Joseph N. Monnin
Judge Thomas S. Moulton, Jr.
Judge Dana S. Preisse
Judge James S. Rapp
Judge Kathleen Dobrozsi Romans
Judge James A. Shriver
Judge Ronald Spon
Judge Robert W. Stewart
Judge David E. Stucki, *Retired*
Judge Linda Tucci Teodosio
Judge Terre L. Vandervoort
Judge David E. Woessner
Judge Mary Pat Zitter
Magistrate Allan Carter
Magistrate Thomas J. Freeman

The Juvenile Law & Procedure Committee analyzes pending legislation with a judicial impact on juvenile laws and procedures and reviews issues and proposals of relevance to judges with juvenile jurisdiction. It makes recommendations to improve the Ohio Revised Code, Rules of Juvenile Procedure, and relevant Supreme Court Rules of Superintendence.

The committee met last on March 19th and will meet again on June 17th in conjunction with the Juvenile Judges' Association's Summer Conference.

Since the last Executive Committee meeting, the Committee worked very quickly with representatives from the Department of Youth Services to amend a section of the Governor's budget bill that eases the transfer of female inmates serving in DYS's sole female facility.

Several juvenile judges have also been participating in ongoing discussions about the Governor's legislative platform for the juvenile justice system. This platform has been developed after recommendations were made at a forum sponsored by the executive branch called *Communities 4 Kids*. After hearing input from several stakeholders involved with juvenile justice and the concerns of judges from the Conference, the result of this forum will be a series of bills that will soon be introduced in both chambers. A few juvenile judges have already been involved with drafting language for these bills.

The Committee continues to monitor several bills. House Bill 438 will require children services to instigate a claim of dependency when a nonparent/guardian obtains a power of attorney for a child to enroll the child in school or make healthcare decisions on their behalf. House Bill 334 would allow a superintendent to suspend a child if it is believed that the child might cause a threat to school safety. House Bill 392 will create a qualified immunity for a person under the age of 21 who seeks medical assistance for another young person who is overly intoxicated. Finally, House Bill 213 would adopt recent recommendations from the Attorney General's Foster Care Advocacy Board.



Co-Chairs

Judge Jan Michael Long
Judge John R. Willamowski

Judicial Members

Judge Tim Grendell
Judge Tyrone Yates

Association Counsel

Jeff Jacobson, OAJCJ
Tom Pappas, OADRJ and AMCJO

Legislative Committee

Executive Committee Report May 2, 2014

The Legislative Committee meets monthly to discuss progress on the Legislative Platform, pending legislation, and other issues of importance in the General Assembly. The Committee met last on February 13, 2014. The Committee will meet next on June 12, 2014.

Judicial Legislative Exchange – The Judicial-Legislative Exchange Program took place on Wednesday, April 7, in Columbus. Twenty judges from throughout the state were paired with their local legislators for the day and Justice Judith French spoke at the joint luncheon.

Legislative Platform Update

- SB 143 (Criminal/Juvenile Justice Reform) – Contains platform issues regarding 40-hour per month limit on community service, establishment of community alternative sentencing centers, and discretion over the removal to jail for certain 18-21 year olds. Third hearing/amended 3/19.
- HB 251 (F4/F5 45-day Offender Placement) – Restores judicial discretion over F4/F5 sentences. Reported out of House Judiciary 3/12.
- DOPO Proposal – Allows judges to divide public pension survivorship and account refunds under certain circumstances. Proposal redrafted subsequent to interested party meeting on 2/26. Ready to be introduced.
- Acting Judges – Restores authority to spend state funding for acting judges. Included in HB 261. Signed by Governor 4/10.
- Indigent Defense – OPD has offered a revised proposal that would increase state reimbursement rate to 50%, establish a standard system of rates and caps, and base reimbursement rate on a system of standards and accountability. Drafted as an amendment to HB 483. Under review by Court Administration.

Bill Monitoring

- HB 369 (MBR – Opiate Abuse) – Includes changes to the use of IDAT funds, an appropriation to DRC for specialized docket staff members in eligible common pleas, municipal, and county courts, and a charge back provision for probate court involuntary commitment proceedings among other changes.
- HB 104/SB 43 (Outpatient Commitment) – Senate Bill 43 was amended prior to being voted out of the Senate and included several changes that the probate judges continue to work to clarify these changes. First hearing in House Judiciary 3/26.

Other Activities

- Legislative Committee - Platform Breakfast scheduled for August 27

**PROGRESS REPORT
2013-14 LEGISLATIVE PLATFORM
(UPDATED 5-2-2014)**

PLATFORM ISSUE	ACTIONS/STATUS
Judicial Compensation. Encourage the best qualified candidates to seek office through competitive judicial compensation established by the Judicial Compensation Commission.	Working with OCCO; and legislative representatives; developing proposal.
Court Costs. Distribute the Court Cost Policy Statement as needed to explain why judges limit their support of court costs to those that are nominal and that are directly linked to court-related activities.	Successful resolution HB 108/HB59
Court Reporting and Transcripts. Make changes to 2301.18-2301.26 such that they are consistent with current practices and can accommodate future technological changes in court reporting.	Seeking Sponsor
Indigent Defense. Improve funding for public defenders and appointed counsel, and ensure that any increased funding is used to improve the overall quality of indigent defense.	JIS adopted. Amendment drafted to HB 483. Under review by Court Administration.
Judicial Authority to Operate the Court, Make Hiring Decisions, and Compensate Court Personnel. Repeal portions of R.C. 307.01, 2101.11, and 2151.10 as amended in Substitute Senate Bill 63 (effective 7-26-79), consistent with court rulings declaring this change to be an unconstitutional expansion of the powers of local funding authorities over court budgets, and modify R.C. 1901.31, 1901.33, 1901.331, 1901.36, 1907.20, and 1907.201 to ensure that all judges, regardless of whether in the municipal, county or common pleas courts, have the statutory power to hire and compensate court personnel.	JIS Adopted Seeking Sponsors
Segregation of Funds Collected by Courts. Enact legislation to direct state and county auditors to keep all monies collected by a court segregated in a separate account from the general revenue fund at the state, county and local level. (This entry was adopted and added to the Platform on February 25, 2011.)	JIS Adopted Seeking Sponsors
Collectible Judgments and Community Service. Revise 2947.23 to authorize judges to lift the 40-hour per month limit on community service	Included in SB 143. Second hearing in House Judiciary.
Criminal Code, Traffic/DUI Law, and Drug Law Simplification. Work with the Criminal Sentencing Commission and other interested parties in the criminal justice system to revise and simplify Title 29, Title 39 (Drug Laws), and Title 45 (Traffic Laws/DUI Law)	JIS Adopted Draft Language approved
Definition of Drug of Abuse. Review 4511.19, 3719.011, and 4511.181 and clarify references to "drugs of abuse," "harmful intoxicants," and "dangerous drugs," especially with regard to the establishment of impairment in OVI cases.	JIS Adopted Seeking Sponsors
F4/F5 45-day Offender Placement Language. Make changes to 2929.13(B)(1)(a), 2929.13(B)(1)(b) and 2929.13(B)(1)(c) to reinstate judicial discretion to sentence offenders to a term of imprisonment in cases where the offender has been convicted or pleaded guilty to a felony of the fourth or fifth degree and the court believes that no community control sanctions would adequately fulfill the overriding principles and purposes of sentencing; modify 2951.03 to grant permissive authority for courts to order presentence investigation reports for felony offenders where necessary.	JIS Adopted Introduced as HB 251 Reported out of House Judiciary

State v. Bodyke (126 Ohio St.3d 266, 2010). Develop changes consistent with the State v. Bodyke ruling by eliminating 2950.031 and 2950.032.	Included in SB 144
Parental Duty of Support-Age Limit and School Enrollment. Clarify current law regarding a court's authority to continue a child support order beyond age 18 if, among other things, the child continuously attends a recognized and accredited high school on a full-time basis on and after the child's eighteenth birthday;	Working with Interested Parties
Parenting Time Enforcement. Create a procedural mechanism as an alternative to a motion for contempt that would permit a parent to file a motion for parenting time enforcement.	Working with Interested Parties
Public Pension Reform and Marital Property. Seek changes to Title 31 to clarify that Deferred Retirement Option Plan (DROP) funds constitute marital property, to clarify that certain post divorce and post dissolution disability benefits are marital property, to codify the <i>Cosby v. Cosby</i> (96 Ohio St.3d 228, 2002) ruling regarding pre-retirement rights of survivorship, and to require the state retirement systems to automatically implement court division of property orders.	Proposal drafted. Working with Rep. Huffman and Pension Boards.
Juvenile Justice Reform-Fixes. Seek changes to Ohio Revised Code Chapter 2152 to improve the implementation of the juvenile justice reform provisions enacted in House Bill 86 of the 129th General Assembly.	JIS Drafted; Portions included in SB 143. Second hearing in House Judiciary.
Planned Permanent Living Arrangements (PPLA). Amend 2151.353 and 2151.415 to permit juvenile courts to order PPLA if not requested by children services agencies in response to <i>In re A.B.</i> , 110 Ohio St.3d 230, 2006.	JIS Drafted Seeking Sponsor
Jurisdiction over Structured Settlements. Amend 2323.584 to remove from probate court jurisdiction actions for approval to transfer structured settlement agreements that were not originally approved by an Ohio court.	Seeking Sponsor
Acting Judges. Following meetings with judges, the Supreme Court sought this amendment to restore the state funding for acting judges. The funds were appropriated in the budget but the authority to spend them was not enacted.	Enacted in HB 261. Effective 7/10/14.
Make Computerization Fees uniform for all court Jurisdictions. 129 th GA passed increase in Cap for Common Pleas General Division only. Similar provisions in other sections regarding other court jurisdictions should be increased as well.	Seeking Sponsor.
Community Alternative Sentencing Centers. Authority for these local misdemeanor centers was established in SB 337 last year but the language was confusing and unclear. Senator Seitz worked with the Judicial Conference to propose an amendment to improve the statute.	Included in SB 143. Second hearing in House Judiciary.
ODMH reimbursement of Probate Courts. This line item was reduced 4 years ago by 50% as a budget cut and has had a negative impact on the ability of probate courts with jurisdiction over large state mental hospitals to provide necessary services associated with rehearing's on civil commitments.	Seeking Sponsor
Uniform standard for determination of Indigency to file a civil action. Representative Sykes has asked the OJC and OSBA to examine the various practices by courts around the state and propose a uniform standard if appropriate. RC 2323.30 and 2323.31	Proposal finalized; seeking sponsor
Discretionary Driving Suspensions for Drug Offenses. This platform issue was added on July 12, 2013. The proposal seeks to change the current requirement for a mandatory driving suspension on certain drug offenses to discretionary with the court.	SCR 27 reported out of Senate Transportation

*indicates a policy statement or support for another agency's proposal



Co-Chairs
Judge Carol J. Dezso
Judge Beth W. Root

Members
Judge Richard A. Bernat
Judge James P. Celebrezze,
Retired
Judge Steven L. Hurley
Judge Michael P. Kelbley
Judge Everett H. Krueger
Judge C. Allen McConnell
Judge Timothy N. O'Connell
Judge Kathleen M. Rodenberg
Judge Jonathan Starn
Judge Bruce Winters

Magistrate Gregory F. Clifford
Magistrate David Jump
Magistrate Roseanne Hilow
Magistrate David Laughlin
Magistrate Nancy McMillen
Magistrate Linda Warner

Magistrates Committee

Executive Committee Report May 2, 2014

The Magistrates Committee consists of judges who have an interest in the role of magistrates in Ohio courts. The committee examines magistrate qualifications, duties, training, and compensation. The committee also identifies those activities of magistrates that are of greatest importance to judges. This committee also collaborates with the Ohio Association of Magistrates on magistrate issues.

The committee met via conference call on April 7, 2014.

The Ohio Association of Magistrates (OAM) President reported the Association will be celebrating their 25th Anniversary and plans are underway for education during the Spring at Quail Hollow and Fall in Columbus, Ohio. If judges would like to show their support of the OAM they may attend the October 2, 2014 dinner at Columbus Crowne Plaza. Please contact the OAM for additional details.

The committee continued to review their goals for 2013-2014:

- a. Monitor Ohio Supreme Court Standards Regarding Reporting Requirements and Timelines for Magistrate's Cases. Judge Dezso will continue to monitor this issue.
- b. Continue to Identify and Monitor Discussions and Proposals Relevant to Magistrates; in order serve as a resource to the Conference.

Additionally, the magistrate members of the committee expressed their delight of being able to access the Judicial Conference website.

The committee is scheduled to meet via conference call on June 3, 2014, at Noon, agenda for the meeting is in development

Respectfully Submitted,

Judge Carol J. Dezso &
Judge Beth W. Root, Committee Co-Chairs



Probate Law & Procedure Committee

Executive Committee Report

March 14, 2014

Co-chairs

Judge Jan Michael Long
Judge Jack R. Puffenberger

Members

Judge Van Blanchard, II
Judge Michael A. Borer
Judge Richard P. Carey
Judge James Cissell
Judge R.R. Denny Clunk, *Retired*
Judge Wilfrid G. Dues
Judge Kevin W. Dunn
Judge Charlotte Coleman Eufinger
Judge Robert D. Fragale
Judge Laura J. Gallagher
Judge Daniel R. Gerschutz
Judge Kathleen L. Giesler
Judge Timothy J. Grendell
Judge Charles G. Hague
Judge Robert H. Hoover
Judge Philip Alan B. Mayer
Judge Beverly K. McGookey
Judge Robert G. Montgomery
Thomas M. O'Diam
Judge Dixilene N. Park
Judge Stephen W. Powell
Judge Randy T. Rogers
Judge James A. Shriver
Judge Kenneth J. Spicer
Judge Thomas A. Swift
Judge Kevin H. Taylor
Judge James T. Walther
Judge Latecia E. Wiles
Judge Steven O. Williams, *Retired*
Judge Mary Pat Zitter
Magistrate Lora Krider
Magistrate Nancy Miller
Magistrate Lora Lynne Stalknaker

The Probate Law & Procedure Committee reviews issues and proposals of relevance to judges with probate jurisdiction and analyzes pending legislation with a judicial impact on probate laws and procedures.

Since the last Executive Committee meeting, the Committee met over the phone on April 7th. The Committee will meet next over the phone on June 16th in conjunction with the Association's Summer Conference.

The Committee continues to work with the sponsors of House Bill 104 and Senate Bill 43 regarding court ordered outpatient treatment for the mentally ill. The Committee recently presented suggested language changes to last-minute amendments added to the Senate bill before passing out of that chamber. These changes will limit the bill's impact on the probate courts' mental health procedures.

The Committee has also been working on developing comments for a potential change to the Rules of Superintendence dealing with guardianships. Certain provisions of the Rule's current draft will place a burden on attorneys who volunteer to serve as guardians as a favor to some courts.

During its last meeting, the Committee also discussed two additions to the Governor's budget bill. One comes from a proposal from the Ohio Association of County Boards of Developmental Disability to grant them the right to intervene in certain cases. The other deals with the way counties pay for the costs associated with orders for mental health treatment by local probate courts.

Finally, the Committee has been discussing the involvement of the State's Department of Veterans Affairs in cases when a probate court recommends adult protective services as well as those cases when a guardian is appointed for a veteran. This action has been prompted by a few unique situations that recently arose in the Cleveland area.



Public Confidence & Community Outreach Committee

Executive Committee Report
March 14, 2014

Co-Chairs

Hon. David M. Gormley
Hon. Eugene A. Lucci

Members

Hon. Jason R. Aslinger
Hon. Christopher M. Berhalter
Hon. Timothy P. Cannon
Hon. David A. Ellwood
Hon. Mary E. Fiser
Hon. Rosemary Grdina Gold
Hon. David E. Henderson
Hon. James D. Henson, *Retired*
Hon. Eva D. Kessler, *Retired*
Hon. Roger L. Kline, *Retired*
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Hon. Julie M. Lynch
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McElfresh
Hon. Todd M. McKenney
Hon. Jerome J. Metz, Jr.
Hon. Mark J. Mihok
Hon. Mark S. O'Connor
Hon. J.T. Stelzer
Hon. Linda Tucci Teodosio
Hon. John R. Willamowski
Hon. William R. Zimmerman

Others

Magistrate Erica Gordon
Magistrate Ann Weatherhead

The Public Confidence and Community Outreach Committee promotes activities that instill public confidence in the Ohio judiciary by helping judges educate the general public about the function and operation of the state's judicial system.

Jury Service Video

A draft script has been developed for the jury service video based on key elements which were identified as being important for jurors to know (see attached). When the script is approved the Judicial Conference, it will go to the Supreme Court and then the Ohio State Bar Association for approval as well.

ACTION ITEM:

The PCCO Committee respectfully requests approval of the draft script for the jury service video by the OJC Executive Committee.

The next meeting of the committee will be a conference call on August 14, 2014.

Respectfully submitted,
Judge David M. Gormley, co-chair
Judge Eugene A. Lucci, co-chair

**Ohio Judicial Conference Public Confidence & Community Outreach
Jury Service Video**

April 24, 2014 Draft – INCORPORATING COMMENTS/CHANGES BY JURY SERVICE & PCCO CMTES

	Video	Audio
	Open space for local courts to customize	
1	Open with montage of former jurors (less than one minute)	(quick responses to why they served/the experience)
2	Title graphic: TBD	(SFX: Music up)
3	Wide Shot Chief Justice Maureen O'Connor on camera in Supreme Court courtroom	(SFX: Music under throughout video) I'm Ohio Supreme Court Chief Justice Maureen O'Connor. On behalf of the court, thank you for devoting the time away from work, school, or family to answer the call to jury service.
4	Medium Shot Chief Justice O'Connor	We are privileged to live in a country where our state and federal constitutions guarantee the right to a trial by a jury of our peers.
5	Cut to closer shot at different angle	This video will provide you with some information you need to help you in this important job, including what to expect as a juror and an overview of Ohio's court system. I hope that you will enjoy this opportunity to play a key role in our system of fair and impartial justice. The people involved in the case on which you may be selected as a juror are depending on you.
6	Title graphic: Ohio's Courts	(SFX: Music up)
7	Animated graphic showing three levels	Narrator: Ohio's state courts are divided into three levels: trial courts, appellate courts and the state supreme court.
8	Trial court level zooms to full screen	Trial courts consist of municipal, county, and common pleas courts.
9	Outside shot of a courthouse	Municipal and county courts have limited jurisdiction to hear civil cases for disputes under \$15,000, and criminal cases for misdemeanor offenses, like traffic tickets.

10	Inside courtroom	They can hold preliminary hearings in felony cases to determine whether probable and reasonable cause exists to hold the defendant. If there is cause to go forward with the case, it's transferred to the common pleas
11	Inside courtroom	A common pleas court hears cases for things like divorce, child custody, and juvenile and adult criminal matters, and civil matters
12	Animated graphic showing three levels with appeals court districts on map	The state's 12 appeals courts hear appeals from the trial courts in both civil and criminal matters.
13	Animated graphic showing three levels with Supreme Court level zooming out to full screen	The Supreme Court of Ohio is the state's highest appellate court.
14	Outside shot of building	It decides all state constitutional questions and cases involving questions of public or general interest.
15	B roll of oral arguments	It also hears appeals from the Board of Tax Appeals and the Public Utilities Commission of Ohio.
16	B roll of oral arguments	The Supreme Court also must hear all appeals involving criminal cases where a death penalty has been imposed.
17	Title graphic: Jury selection process	(SFX Music up)
18	Courtroom	A jury trial is a fundamental right available to everyone and is a treasured part of our legal system.
19	Courtroom	The types of cases heard in jury trials can be criminal or civil.
20	Courtroom Text graphic: Defendant	In a criminal trial, the person accused is called the defendant.
21	12 people in jury box	12 people are chosen for a jury trial in common pleas courts.
22	Dissolve to just 8 people in the jury box	8 people for municipal court jury trials.
23	Jury deliberating	In all criminal matters, the jury has to reach a unanimous decision to find the defendant guilty or not guilty.

24	Courtroom Text graphic: Plaintiff	Civil trials involve disputes between individuals or organizations– brought to court by the party called the plaintiff
25	Courtroom Text graphic: Defendant	against the party being sued – called the defendant. The cases can include contract disputes and personal injury lawsuits.
26	8 people in the jury box	There is an eight-member jury for a civil trial, and at least six must agree to the decision.
27	Text graphic: Jury Selection Trial Deliberations	There are three stages for jurors. Selection, the trial, when statements, evidence and arguments are presented, and deliberations to make a decision.
28	Wide shot of courtroom with all the participants	First, let's meet the participants in a trial.
29	Judge on bench Text graphic: Judge	There's the judge who presides over the trial.
30	Clerk Text graphic: Clerk	A court official is in charge of keeping all the documents, records and physical evidence for the trial,
31	Bailiff Text graphic: Bailiff	The bailiff – who maintains courtroom order and ensures the safety of the trial participants, including jurors.
32	Court Reporter seated Text graphic: Court Reporter	A record is made of everything that is said or done in the trial either by a court reporter or by audio-video recording.
33	Attorneys at table Text graphic: Attorneys	The attorneys present the evidence for the plaintiff and the defendant in the trial.
34	Text graphic montage of different legal terms / words: Objection, Sustained, Overruled, Sidebar, Voir Dire zooms in larger	There are many different terms you might hear in a courtroom. One of them is voir dire (vwaar deer). This comes from old French for "to speak the truth." It's the process when potential jurors are questioned by either the judge or a lawyer to determine their suitability for jury service.

35	Courtroom scene of jury selection process	(Lawyer asking question of potential juror)
36	Courtroom scene of jury selection process	These questions are not meant to pry into your personal affairs, but to learn if you have any knowledge of the case, a preconceived opinion, or if you have had any experience that might make it difficult to make a decision in a completely fair and unbiased
37	Courtroom scene of jury selection process	The attorney for each side may challenge a prospective juror for cause – concern that juror may not be impartial – and peremptory, meaning no cause needed, but it cannot be based on race or gender.
38	Courtroom scene of jury selection process	The idea is to ensure that a fair and impartial jury is selected.
39	Jurors raising hands to take oath	If you're selected for the jury, you'll be asked to take an oath to follow the law. The judge may also select alternate jurors in case a juror becomes sick or can't see the trial through the end of the process.
40	Text graphic: The Trial	(SFX: Music up)
41	Video clip from one of the "judge" TV shows (to show theatrics of courtrooms as portrayed in media)	(Audio from video clip)
42	Freeze frame of video clip	The courtroom drama portrayed on TV shows and movies is NOT reality. It's important to set aside any preconceived ideas and see how the judicial process REALLY works.
43	Attorney making opening statement to the jury	After the jury is selected, each side of the case may present opening statements, presenting key points that they plan to make during the trial.
44	Second attorney, zoom out to witness on stand	The plaintiff will then present evidence first. Evidence is the testimony given by a witness under oath, exhibits, and facts that the lawyers have agreed to and the court requires you to accept.

45	Jurors watching testimony, one of them takes notes	Some judges let jurors take notes during the testimony, others do not, so make sure you are aware of what is permitted.
46	Attorney with witness on the stand approaches bench with exhibit	After the plaintiff, the defendant has an opportunity to present evidence, and then the plaintiff may decide to offer additional evidence to explain or disprove the defendant's evidence.
47	Judge looking over exhibit	The judge is responsible for admitting evidence; you're responsible for deciding what is to be believed or how much weight to give it.
48	Witness looks at judge	Witnesses need not be believed simply because they are under oath. It is up to you as a juror to evaluate testimony.
49	Judge decides on exhibit	If the judge excludes evidence that has been heard, you will be instructed to disregard it.
50	Judge gives jury instructions	You will have an opportunity to hear each side in the case give their closing arguments in which they tell you what they think the evidence has shown. Their arguments are not evidence, however, and should not be relied on as such when you are deliberating. The judge will instruct you on the questions of fact that will be decided and the law that should be applied to the evidence presented.
51	Jurors file out of courtroom	After the final instructions, you will go in to the jury room to deliberate – decide the facts based on the evidence presented and apply the law as instructed by the judge.

52	Wide shot of jurors in room deliberating	Before you begin, you'll elect a foreperson to help you conduct your deliberations in an orderly manner and so that everyone can express their opinions. This person does not have any greater power, nor does that person's vote have any more importance, than others.
53	Medium shot of jurors in room deliberating	Civil cases require a vote of at least three-fourths of the jury to reach a verdict.
54	Wide shot of jurors in room deliberating	In a criminal trial, the jury must find the defendant guilty or not guilty by a unanimous vote.
55	Jurors file back in to the courtroom	The verdict is announced in court.
56	Verdict read	To ensure that a trial is conducted in a fair and impartial way, there are several things that you must remember while serving on a jury.
57	Courtroom graphic: No talking	You may not talk about the case with your family or friends during the trial. You may not discuss this case with your fellow jurors outside of the deliberations.
58	Courtroom graphic: Cell phone	Do not use social media to discuss the case.
59	Courtroom graphic: Computer/TV	Do not research the issues or laws on the Internet or watch or read news coverage of the trial.
60	Jurors listening to testimony	Keep an open mind - do not decide before all the evidence and arguments are heard and you receive the instructions on the law.

61	Text graphic: Stand when the judge enters No talking, reading, or using electronic devices Be attentive Arrive every day Arrive on time	Some notes about general courtroom behavior: Please stand when the judge enters; Do not talk, read, or use electronic devices when you're in the courtroom; Be attentive; Arrive every day and on time. Court cannot begin until everyone is present.
62	A juror with bailiff	If you have any questions, please do not hesitate to ask the bailiff or other members of the court's staff.
62a	Diversity statement	If you are seated on jury you will be teamed with people of all backgrounds, etc. Strength of jury system springs from this variety of perspectives. You may disagree with one another, but NO room for disrespect among jurors. You may decide issues that affect the life of someone very different from you. Your decision must be based upon the facts of the case and law given to you by the judge. Everything needed for your decision to be fair and impartial will be given to you. Judge will instruct you – follow the law as given.
63	Chief Justice O'Connor on camera	Chief Justice: Jury service is an important civic duty. It is direct citizen participation in government. Your efforts today help preserve the constitutional right we all share - to receive a fair trial by a jury comprised of fellow citizens. Thank you for your service.
64	Title text about this being a production of Ohio Judicial Conference? Perhaps: This video was produced by the Ohio Judicial Conference Ohio State Bar Association Supreme Court of Ohio	(SFX: Music up and out)

65	Open space for local courts to customize	
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Publications Committee

Executive Committee Report, May 2, 2014

Co-Chairs

Judge Nancy D. Hammond
Judge Deborah J. Nicastro

Members

Judge Duane A. Goettemoeller
Judge Timothy J. Grendell
Judge Alison McCarty
Judge Joy Malek Oldfield
Judge Kenneth R. Spanagel

Others

Magistrate Jeffrey Bender
Magistrate Ann Weatherhead

The Publications Committee provides guidance to Judicial Conference staff in its efforts to produce publications that meet the needs of Ohio judges by providing timely and relevant information, by encouraging dialogue, and by enhancing the Judicial Conference's ability to serve as the voice of Ohio judges.

The last Publications Committee meeting took place on February 7th, 2014.

For the Record

The Publications Committee has been taking on a greater role in the behind the scenes process of *For the Record*. Members of the committee have been seeking articles and suggesting topics for articles to be featured in future editions of the publication.

The Committee is seeking information and comments regarding evidentiary issues related to Facebook, other social media, and text messaging. We are interested in examples, your stories, comment, written decisions or articles you would like to write about the admissibility of such evidence and related issues. The 2nd Quarter edition for 2014 will be published 6/30/2014.

Library of Reasoned Orders

The Library of Reasoned Orders (LRO) currently hosts over 192 opinions-many of the more recent opinions concerning the Intoxilyzer 8000 opinions and summaries put together by Judge William Grim of the Athens County Municipal Court.

Distinguished Judicial Figure

The Publications Committee will continue with the Distinguished Judicial Figure initiative, in which the committee researches and suggests prominent judicial players to spotlight in a series featured in the quarterly *For The Record*. Judges are encouraged to submit suggestions for future issues.

OJC Publications Database

The Publications Committee will be maintaining a database of the last revision date for all OJC publications in order to ensure all materials distributed are kept accurate and updated regularly.

Future Meetings:

- Friday, May 9th – 12:00 PM – Conference Call
- Wednesday, August 27th – 1:00 PM – Committee Meeting @ Hilton Easton
- Friday, October 12th – 12:00 PM – Conference Call



Retired Judges Committee

Executive Committee Report

May 2, 2014

Co-chairs

Hon. Mel Kemmer, *Retired*
Hon. Nodine Miller, *Retired*

Members

Hon. Douglas J. Bennett, *Retired*
Hon. Eric Brown, *Retired*
Hon. Thomas F. Bryant, *Retired*
Hon. Jerome D. Catanzaro, *Retired*
Hon. Mark S. Froehlich, *Retired*
Hon. Joseph Giulitto, *Retired*
Hon. Jerry L. Hayes, *Retired*
Hon. John R. Hoffman, Jr., *Retired*
Hon. James L. Hoover, *Retired*
Hon. H. F. Inderlied, Jr., *Retired*
Hon. Teresa L. Liston, *Retired*
Hon. Richard M. Markus, *Retired*
Hon. Robert E. Messham, Jr., *Retired*
Hon. John R. Milligan, *Retired*
Hon. Judith A. Nicely, *Retired*
Hon. S. Dwight Osterud
Hon. Jennifer L. Sargus, *Retired*
Hon. Richard T. Schisler, *Retired*
Hon. Marvin Shapiro, *Retired*
Hon. Lynn C. Slaby, *Retired*
Hon. Russell A. Steiner, *Retired*
Hon. Mary Grace Trimboli, *Retired*
Hon. Michael J. Voris, *Retired*
Hon. Charles S. Wittenberg, *Retired*
Hon. William H. Wolff, Jr., *Retired*

The Ohio Judicial Conference Retired Judges Committee reviews and makes recommendations on issues faced by retired judges.

Retirement Planning Seminar

The “Jumping the Retirement Hurdle” seminar was held on April 7, 2014 at the Thomas J. Moyer Ohio Judicial Center. The seminar, held bi-annually, is designed for active judges and their spouses/partners contemplating retirement. Topics included career decisions/lifestyle decisions, sitting by assignment, ethical considerations, the impact of retirement on the family, and personal financial issues. Thirty-three judges and twelve spouses attended the seminar.

Retired Judge Title

Committee members were pleased to be informed that the Supreme Court prepared a proposed amendment to Rule 8.2 of the Judicial Code of Conduct re: use of the title “retired judge.” In essence it says the title may be used as long as it is done so honestly and without inappropriate motives. The Court is to be commended for rejecting the advisory opinion and setting the policy on a better course through Comment 2 of the proposed amendment:

[2] This rule controls over any conflicts with advisory opinions, including Advisory Opinion 2013-3 of the Board of Commissioners on Grievances and Discipline.

The next scheduled meeting of the committee will be a conference call on August 13, 2014.

Respectfully submitted,

Judge Mel Kemmer, retired, co-chair
Judge Nodine Miller, retired, co-chair



Specialized Dockets Committee

Executive Committee Report
May 2, 2014

Co-Chairs:

Hon. John M. Durkin
Hon. Carol Ann Robb

Members

Hon. Jerry E. Ault
Hon. Teresa Lyn Ballinger
Hon. Joyce A. Campbell
Hon. Steve Christopher
Hon. Christopher Collier
Hon. Ethna M. Cooper
Hon. Luann Cooperrider
Hon. Glenn H. Derryberry
Hon. Charlotte Coleman Eufinger
Hon. Robert D. Fragale
Hon. Howard E. Hall
Hon. James D. Henson, *Retired*
Hon. Michael F. Higgins
Hon. Mary Katherine Huffman
Hon. John P. Kolesar
Hon. Alfred W. Mackey
Hon. Robert P. Milich
Hon. James L. Miraldi
Hon. Joy Malek Oldfield
Hon. Noah E. Powers, II
Hon. Mark B. Reddin
Hon. Carol Ann Robb
Hon. Michael J. Sage
Hon. James A. Shriver
Hon. Kristin W. Sweeney
Hon. Maureen Ann Sweeney
Hon. Linda Tucci Teodosio
Hon. Thomas A. Teodosio
Hon. Elizabeth Lehigh Thomakos
Hon. Dean L. Wilson
Hon. Gary L. Yost

Magistrate Lynne Schoenling

The Specialized Dockets Committee exchanges ideas, discusses issues and recommends policies related to the operation and administration of Ohio courts with specialty dockets (mental health courts, drug courts, re-entry courts, etc.). The Specialized Dockets Committee works to identify additional resources available to these courts.

The committee continues to monitor trends in specialized dockets and to stay apprised of the status of applications from courts for certification from the Supreme Court of Ohio Specialized Docket Section.

The committee will host the Ohio Specialized Docket Practitioners Network, Judges Sub-Network meeting on November 19th, the evening prior to the OSDPN Annual Conference.

The next scheduled meeting for the committee will be a conference call on September 30, 2014.

Respectfully submitted,

Judge John M. Durkin, co-chair
Judge Carol Ann Robb, co-chair



Traffic Law and Procedure Committee

Executive Committee Report May 2, 2014

Co-Chairs

Judge Mark B. Reddin
Judge Jennifer P. Weiler

Members

Judge Jeffrey D. Adler
Judge Ann E. Beck
Judge Mary Kaye Bozza
Judge David M. Gormley
Judge William Allan Grim
Judge Robt. G. Hart
Judge Gary W. Herman
Judge Thomas A. Januzzi
Judge Deborah A. LeBarron
Judge Robert Hagen Lyons
Judge Lee W. McClelland
Judge John T. Rohrs, III
Judge James A. Shriver
Judge Kenneth R. Spanagel
Judge Terri L. Stupica
Judge Diane S.A. Vettori
Magistrate Michelle Paris

The Traffic Law and Procedure Committee's last scheduled meeting (April 4, 2014) was cancelled due to a sparse agenda. The Committee is continuing to focus on the following topics:

IDAT Funds: Judges Reddin and Shriver helped develop recommendations for changing possibilities for use of IDAT funds. The changes include: allowing IDAT funds from one court to be transferred to another court in the same county; allowing a surplus of IDAM funds to be declared and transferred to the IDAT fund; using IDAT funds for transportation to court-ordered services; and using IDAT funds for the assessment or treatment portion of a DIP. The changes were introduced in HB 472 (Budget), then HB 483 (Budget – Operation of State Agencies), then also amended into HB 369, both of which passed the House and will move to the Senate in May.

Ignition Interlock: Representatives Johnson and Scherer introduced HB 369; although currently poorly written, it aims to make ignition interlock use mandatory at first OVI offense. Judge Shriver met with Rep. Johnson to provide suggestions for improving the bill to preserve judicial discretion. A sub-bill is currently being drafted.

Financial Responsibility Study Committee and HB 71: The Study Committee submitted a preliminary report in January and will produce a finalized report in April. Judge Spanagel is on the Study Committee. The bill would alter procedures for verifying proof of financial responsibility regarding a motor vehicle; the bill is supported by the Committee; it has had two hearings in the House and the Committee will provide proponent testimony in May.

The next meeting of the Traffic Law and Procedure Committee is scheduled for July 13, 2014.